*Previous references.*

**File No.** 218

**1904**

(III Courts)

*Later references.*

# GENERAL AND REVENUE SECRETARIAT.

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## Serial Nos. 1—7

**PART B FOR** May 1905

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SUBJECT.

Trial in Mysore of one Nataraa Venkata Samy accused of the offence of theft in the Chadanapalle and Radari Taluks, Cuddapah

FILE No. 218 of 1904-05.

*Trial in Mysore of one Natava Venkatasami, accused of the offence of theft committed in the Madanapalli and Kadari Taluks, Cuddappa District.*

1 From the District Magistrate, Kolar, No. C. 468, dated the 8th March 1905.
Requests to ascertain whether the accused may be tried in the Province, for offence committed in His Majesty's Territory for the reasons stated by him.

2 To the First Assistant to the Hon'ble the Resident in Mysore, No. Pol. 777, dated the 15th March 1905.
Enquires whether the British Government want the accused or whether they would accede to his being tried in this Province.

3 From the District Magistrate, Kolar, No. C. 494, dated the 23rd March 1905.
Forwards in continuation of Serial No. 1 copy of a letter from the Assistant Commissioner and 1st Class Magistrate, Chikballapur Division, informing of the non-receipt of any warrant for the surrender of the accused from any of the Magistrates of the Cuddappa District.

4 To the First Assistant Resident in Mysore, No. Pol. 873, dated the 28th March 1905.
Forwards copy of letter referred to in Serial No 3.

5 From the District Magistrate of Kolar, No C. 544, dated the 16th April 1905.
Forwards copy of his letter to the Inspector General of Prisons reporting the escape of Venkatasamy from the Chikballapur Lock-up, and states that strict orders have been issued to the Police to recapture the man.

6 From the First Assistant Resident in Mysore, No. 2528, dated 4th May 1905.
States that there is no objection to the accused being tried in this State, for offences committed in the Cuddappah District.

7 To the District Magistrate, Kolar, No. 3285, dated 15th May 1905.
Informs him of the above, and requests that every endeavour should be made to have the accused re-arrested and placed on his trial.

G. R. S. 11] 190 (.

GENERAL AND REVENUE SECRETARIAT

( bomb )

NOTES.

File. No 28

FILE HEADING.

Trial in Mysore of one Natava Venkatasami, accused of the offence of theft committed in the Madanapalle and Kadiri Talukas, Cuddapah District

From

The District Magistrate of Kolar.

No. C. 468 Dated 8/3/05 Received 9/3/05

Diary No. J 1851 | Enclos. one | Spare Copies. - | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests to ascertain whether the accused may be tried in this province for offence committed in N. M's territory, for the reasons stated by him.

NOTES AND ORDERS.

A draft to the Dist. Mag. Cuddapah ascertaining the same is submitted.

Mg. SR 11/3/05

Registrar

Secy 13.3.05

11/3/05

V/Papers

14.3.1905

Notes—First sheet.

MGCPB—30,000—17-2-05.

G.R.S. 12]
General and Revenue Secretariat.

File No. 48 of 1906

Serial No.

2 To the I Assistant No DR 773 § 15/3/05.

Enquiries whether the British Govt. want the accused or whether they would accede to his being tried in this Province

3 From the District Magistrate Kolar No. C. 454 dated the 23rd March 1905.

Forwards in continuation of Sl No 1, Copy of a letter from the Asst Commr & 1st Class Magte of Chickballapur, stating that no warrants have been received for the surrender of the accused from any of the Magistrates of the Cuddapah District.

Says this fact be communicated to the Residency in continuation of Sl No 2. Submits draft for approval & for orders.

24/3/05 SW 24/3/05 Regn Branch.

Draft agreed 24/3/05 [illegible] 25-3-1905

Sec 29/3/05

4 To the I Assistant No DR 873 § 29/3/05

5 From the District Magistrate, Kolar No C. 546 of the 16th April 05

Forwards copy of his letter to the Inspr General of Prisons reporting the escape by Venkatasamy, from the Chickballapur Lockup & states that steps have been taken to the Police to recapture the accused.



MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

File No. 28 of 1904

Serial No.

5 May. Must first be communicated to the Residency in continuation of your previous letter. A draft dated 22 Dec under 1904

28 SF 27/4/05 Registered

Lee 27/4/05

6 Passed 28/4/1905

Submitted to the Dewan Sahib thro the 2d Councillor for info. in re the escape

243 30.4.05

28/4/1905

6308 2.5.05

8 Secn. 2/5/05

9 Secn 4.5.05

6362

File 7.5.1905

B Rec 8/5/05

9 Boy on receipt the draft mentioned above has been omitted to be noted before submn to the Dewan & 2nd Cr. But the following wpg to our reference has been received.

6 From the First Asst Resident No. 2578 dt 4.5.1905.

Stated that there was no objection to the proposed Vakalats and being filed by the Nagpur Counsel for accused committed



MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

File No. 118 of 190 4

Serial No.

within the limits of the Cuddapah District.

Under the circumstances, may the residency be informed of the escape of the accused now & that he will be tried after his search has been effected. Perhaps the District Magistrate may also be informed of the wishes of the Govt. & requested that the accused be tried accordingly after his search has been effected. Submit with a draft.

Dec 10/5/05

Approved 10/5/05

Rejected

Dy Secy 11/5/05

No such reference the Residency seems to be necessary. The copy to the Dt Magte may be sent.

Dec 11.5.05

Approved 12.5.1905

Blue 15/5/05

7. To the District Magistrate Kolar.

No: J 3285 dated 15/5/05

Informs him of the above and requests that every endeavour should be made to have the accused re-arrested and placed on his trial.

Note—Contn. sheet.

Court
III
9/5/05

D 1891.

1905. 8 Mar/
Th Mar 18

From
K.P. Puttanna Chetty Esquire
District-Magistrate
Kolar District

To B.K. Venkataraya Dinparshad
Secry: to the Court: of H. H.
the Maharaja of Mysore
Genl & Rev: Depts

Dated 8th
Despatched } March 1905.
Received } Camp Champion Reefs

General No. C.468.
No.

Enclosure No. One —

Requesting to ascertain whether Natava Venkata-sami accused of House-breaking & theft in Kanda-kur and Nadrini Kuntapalli Villages in His Majesty's — Territory, may be tried here or not.

1

Office of the District Magistrate.
Kolar District

No. C. 460
Gen: I

Dated 7th March 1905.

8 NW
2W No. 218/04

From,

K. P. Puttannachetty Esquire
District Magistrate
Kolar District

To, B. K. Venkatavaradiengar Esquire
Secretary to the Govt: of H. H.
the Maharaja of Mysore
Genl & Rev: Departments.

Sir,

I have the honor to forward herewith copy of letter No. 228/J dated 25. 2. 05 from the Assistant Commissioner and 1st class magistrate, Chikballapur Division, and to state that no warrant appears to have been received from the Cuddapah District for the surrender of the accused Natana Veeraswami therein referred to, although it is nearly 20 days since he was arrested. He is a Mysore Subject being a resident of

Chanchampalli

Chanchanampalli, in Bagepalli Taluk and appears to have committed 2 offences of House-breaking and theft or theft in a house, Sections 457 & 380 or 380, in Kandakur and Nadimikunta-palli villages in the Madaniapally and Kadiri Taluks respectively of the Cuddapah District. The offences cannot be enquired into in Mysore territory unless the British Government waive their right to demand the surrender of the accused and I request that you will be so good as to ascertain whether the accused may be tried here or not.

I have the honor to be
Sir
Your most obedient Servant

W. Cunningham

District Magistrate
Kolar District

Office of the Assistant Commissioner
& 1st class Magistrate, Chikballapur

No. 228/T.

25th February 1905.

From,

C. Rama Rao Esquire
Assistant Commissioner &
1st class Magistrate
Chikballapur.

To,

K.P. Puttanna Chetty Esquire
District Magistrate
Kolar

Sir,

I have the honor to state that the Police Inspector of the Bagepally Taluk produced before this Court, on the 20th Instant, one Natava Venkatasamy, a K.D. residing at Chanchanapally of the Bagepally Taluk, together with 2 charge sheets, accusing him of having committed two house-breakings and theft on the 4th and 6th Instant at 2 different places viz, Kandakur and Nadimikintapalli Villages of the Madanapalli and Kadari Taluks respectively, of His majesty's Territory.

2. The

2. The particulars gathered from the First Information Report and the charge sheets before Court are briefly these:—

Charge sheet in Crime No. 2/31. } The complainant in this case is one Uddi Narasimha Chari, resident of the Kandakur Village, who is said to be the Patel of Pathanvanipalli and other villages in the British Territory. He states before the Inspector of the Bagepally Taluk, that on the night of the 4th instant, his wife, 4 children and himself slept in his house; that at 7 A.M. next morning he found the gold Asali (a neck ornament) of the value of about Rs. 100/- worn by his three-year-old daughter Maha-Lakshmamma on her person, missing; that being informed by one Bhadan Sab of his Village, of the arrest of the accused at Chakrel, (in the Bagepally Taluk) he hastened to Bagepally; that the

gold

Gold Aali shown him by the Police was the one lost by him and that before leaving his place he instructed his younger brother Swaminayaka Chari to complain to the authorities in his place about the loss of the jewel.

Charge sheet in Crime No. 3/32. The Complainant in this case is one Nayam (barber) Nanjega resident of Nadinakuntapalli of the Kadiri Taluk in His Majesty's Territory. He states before the Bagepalli Police Inspector that on the 6th Instant, he had gone out to pick tamarind crop; that on his return home in the evening, he saw his sister-in-law weeping, and that, on enquiry, he learnt from her that she also had gone out for the like purpose shutting the door of the house and securing it by means

of

of a rope and that on her return home she found certain articles of apparel which had been suspended to a pole in the house, missing, and that he, having subsequently been informed by one Vemanna of his village that the accused was seen by him going with the clothes tied up into a bundle, came to Chakanel Village; that he found his clothes in the Chakuel Police Station and that he had not complained to the authorities in his place, of the occurrence.

From the above it may be observed that the offences appear to have been committed within the British Territory, while the place where the accused was apprehended is within this Province.

The proviso to Section 188 of the Criminal

Criminal Procedure Code (Regulation II of 1904) lays down that no charge as to any offence shall be enquired into in Mysore if the accused has been already tried for the same offence at the place where it was committed; and, where it is an offence for which Extradition can be demanded by the British Government unless the Government of Mysore shall, in the first instance, have referred to the British Resident in Mysore to ascertain whether the British Govern-ment waives its right to demand the surrender of the accused.

With references to the cases on hand, it may be observed that in the first of the two cases, the Com-plainant states before the Inspector that he left instructions with his brother

brother to complain to the authorities, in his place but that there is nothing to show whether or not any such complaint was laid before the British authorities.

As regards the 2nd case, the statement of the Complainant before the Inspector does not show whether he was or was not going to complain at all to the authorities, in his place.

The offences complained of viz, Sections 454, 457 and 380 of the Indian Penal Code being Extraditable, I beg to request the favor of your kindly moving the Government to make a reference to the Residency to ascertain whether complaints have already been laid before the British authorities in the 2 cases referred to above and whether

his

His majesty's Government waives their right to demand the surrender of the accused when complaints are hereafter laid before the British authorities if not already done so.

I beg to add that pending instructions in the matter the cases will not be enquired into and that the accused has been in the meanwhile remanded to the Chickballapur Taluk Lock-up.

I have the honor to be
Sir
Your most obedient Servant.

Sd/ C. Ramarao.
Assistant Commissioner
& 1st class magistrate
Chickballapur

"Copy"

W. H. Bennaglett
District Magistrate
Kolar District.

From

C. Rama Rao Esquire
Assistant Commissioner and
1st class Magistrate
Chickballapur

To

K. P. Puttanna Chetty Esquire
District Magistrate
Kolar District

Dated 16/18 March 1905. No. 250/J.

The District Magistrate's memo No. 117/J dated the 9th instant, forwarding a copy of his letter No: C. 468 of the 7th idem addressed to the Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Departments, and calling for information as to (1) whether any warrant has since been received for the Surrender of accused Natava Venkatasami; (2) whether he has been handed over and (3) whether intimation of his arrest has been given to the British authorities.

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With

// 3 // With reference to the above, has the honor to state that no warrant has as yet been received for the arrest of the offender, Venkatasami, who is now in the Chickballapur Lock-up under a remand issued by this Court as already submitted.

(2) As regards the 3rd. point, the Police Jamadar of Bagepalli Taluk has reported that no written intimation of the arrest of the accused has been given to the British Authorities, but that Police Inspector Arunachellam Pillay who investigated the present cases against the accused, appears to have had, at Kandkur, on the 11th Ultimo, an interview with the Station House Officer of the Pedda Tippasandram Police Station in the British Territory in connection with these cases. The Police Inspector of Bagepalli is now on leave.

(3). The Bagepalli Police Jamadar's Report no 826 of the 12th Instant is herein enclosed for further reference.

(Signed) C. Rama Rao
1st Class Magistrate.

Copy

B. M. Cammett
District Magistrate
Kolar District

13

G.R.S. 26]

File No. 218

Serial No 2

*Diary No. of letter replied to* _____

Pol. No. 777 Enc: 2.

General and Rev. Secretariat
( Coorg )
, *the* 190 .

Date of issue 15 - 3 - 1905

Signed by Mr. B. K. Venkata-varada Iyengar.

To

The First Assistant to the Hon'ble the Resident in Mysore

Sir,

I am directed to state that the ~~District Magistrate of Kolar~~ it is reported that one Nataven Venkatasami, a K.D. residing at Channanipalli in the Bagepalli Taluk of the Kolar District, stands accused, before the Assistant Commissioner and 1st Class Magistrate of Chickballapur, of having committed 2 house-breaking offences and theft on the 4th and 6th February 1905 at Kandakur and Nadumi-kuntapenalli villages of

over.

SUBJECT.

14

Mr. Madanapalli and Kadiri

Talukas respectively. As no

warrant appears to have

been received from the Cuddapah

District, I am to ~~request~~ enquire if

~~whether~~ the British Government would

~~will waive their right to demand~~

~~the surrender of~~ the accused, ~~who~~

~~is now under remand at the Blackhall Prison~~

Or whether they would

~~before~~ ~~and~~ accede to his

being tried here. He is now in custody.

~~by the Cuddapah Court~~

~~Cumbum Magistrate, above~~

~~referred to.~~

2. Copies of the Cuddapah District

Magistrate's letter No. C468 dated

the 8th March 1905 and of its

enclosure, on the subject, are herewith for-

warded for reference.

I have to

be

13. 3. 05 Sir 3-1905

14

Secretary

MG 14/3/05 SW 14/3/05 mw 14/3/05

*List of enclosures,*

*Two.*

*MG 15/3/05.*

*Copied by MG 15/3/05.*

*Examined by MG 15/3/05*

8 N's
2L N:2180/04 Courts

111 mm 24/3/05 — J 1992

1905

From
K. P. Puttanna Chetty Esquire
District Magistrate
Kolar District

To B. K. Venkatavarda Iyengar Esquire
Secretary to the Government of
Mysore General and Revenue Departments

Dated
Despatched 23rd } March 1905
Received

General No. C. 494
No.

Enclosure No. 1.

In re the Surrender of one
Natava Venkatasami
now under remand in
the Lock-up of Chick-
-ballapur.

15

Office of the District Magistrate
Kolar District.
Dated 23rd March 1905

From,

K. P. Puttanna Chetty Esqre
District Magistrate
Kolar District

To, B. K. Venkatavaradiengar Esqre
Secretary to the Government of
Mysore, General and Revenue
Departments.

Sir,

In continuation of this Office letter No. C. 468 dated 7th March 1905, requesting to ascertain if the British Government waive their claim to demand the surrender of one Vataya Venkatasamy now undersremand in the Lockup at Chickballapur, I have the honor to forward herewith the copy of letter No. 250 dated 16th instant from the Assistant Commissioner and 1st class magistrate, Chickballapur Division, stating that no warrant for the surrender of the said accused has

been

any Q
been received from the Magistrates
of the Cuddapa District. The
accused is in custody in the
Lockup at Chickballapur.

I have the honor to be
Sir,
Your most obedt servant

B W Mc Cammon
District magistrate
Kolar District

G.R.S. 26]

17

File No. 116

Serial No 4

*Diary No. of letter replied to* _____

Pol No. 813

Enc 1

General and Rev. Secretariat

( )

, *the* / 190 .

To

The First Asst to the Hubli
The Resident in Mysore.

Date of issue 28. 3. 05

Signed by [illegible]

Sir

In Continuation of this office No. Pol 777 dated the 15th March 1905, requesting to be informed if the British Govt would require the surrender of one Natava Venkatasami, now under remand in the Lockup at Chikballapur, for having committed the offences of house-breaking & theft at Kundakur & Nadimi Kuntapalli villages in the Kolar District, or whether they would accede to his being tried in this Province, I am directed to forward

*over.*

SUBJECT.

18

Herewith accpt of letter No. 250 dated the 16th inst. from the Assistant Govt 1st Class Magte of Chickballapur stating that no warrants have yet been received for the surrender of the accused from any of the Magistrates of the Cuddapah District.

I have the

25-3-/05

Secretary.

NKS 24/3/05 SM 24/3/05

Mull 27/3/05

*List of enclosures,*

Enclosure - nil

SM 28/3/05

*Copied by* D.V.S. 27/3/05.

*Examined by* SM 28/3/05

MGCPB—20,000-19-12—04.

Sl 1185
Ch 28 Apr.

Courts
III and C 20/4/05
1905.

L 2187

From
W. P. Buttamma Chetty Esquire
District Magistrate.
Kolar District

To
B. K. Venkatarama Aiengar Esq.
Secy. to the Govt. of Mysore
Genl & Revenue Depts

Dated
Despatched } April 1905.
Received

General No. C 544.
No.

Enclosure No. One

Re escape of under-trial prisoner Natava Venkatasami from the Chikballapur Lock-up.

19

Office of the District Magistrate
Kolar District, Camp, Mittemari
Dated 16th April 1905

From,

W.P. Puttanna Chetty Esquire
District Magistrate
Kolar District.

To.

T.K. Venkatavaradiengar Esquire
Secretary to the Govt: of His Highness
the Maharaja of Mysore
Gen'l & Rev: Departments.

Sir,

In continuation of this office letter No. C. 494 dated 23.3.05, I have the honor to forward herewith copy of my letter No. C 541 dated 16.4.05 to the Inspector General of Prisons reporting the escape of the under-trial prisoner from the Chikballapur Lockup. I have issued strict orders to the Police to re-capture the man.

I have the honor to be
Sir
Your most obedient servant

W.P. Puttannachetty
District Magistrate
Kolar District.

D

1905

From
K.P. Puttannachetty Esquire
District Magistrate
Kolar District.

To
The Inspector General of Prisons
in Mysore
Bangalore.

Dated 16
Despatched } April 1905.
Received

General No. C 641
No.

Enclosure No.

Sir,

I regret to have to report an escape of an under-trial prisoner named Natawa Venkatasami from the Lock-up at Chickballapur at about 9 P.M. on the night of the 13th Instant. He was under remand for 2 cases of house-breaking and theft in the Cuddapah District and correspondence was going on regarding his surrender to the British authorities. It is reported that the prisoner escaped by removing one of the planks

2!

planks of the Lock-up door. The Police are endeavouring to recapture the escaped prisoner. I have called for a report as to the Police Officer who is responsible for the escape and I shall intimate the steps taken to punish him.

I have the honor to be
Sir
Your most obedient Servant

-/Sd/ K.P. Puttanna Chetty
District Magistrate.

"Copy"

K.P. Puttanna Chetty
District Magistrate
Kolar District.

R. P. B.—4-05.—500.

J 2291
12

No. 2528

FROM

R. C. H. MOSS. KING, ESQ., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

Pol no 1741/27 5.5.05

To

The Dewan of Mysore.

*Dated Bangalore,* 4 May 1905.

SIR,

With reference to the correspondence ending with Mr.Venkatavaradiengar's letter No.Pol 813, dated the 28th March 1905, I am directed to state that there is no objection to Natava Venkatasami therein referred to being tried by the Mysore Courts for the offences of house breaking and theft committed within the limits of the Cuddapah District.

I have the honour to be,
Sir,
Your most obedient servant,

First Assistant Resident.

G.R.S. 26]

File No. 218

Serial No. 7

*Diary No. of letter replied to*

No. J 8285
C. 218-7

General and Rev. Secretariat
( Courts )
., the 15/5/ 1905.

To
The District Magistrate of
Kolar.

Date of issue 15/5/05

Signed by Alk. K. S. Chandra Sekhara Aiyar

With reference to the correspondence ending with his letter No C 544 dated the 6th April 1905, regarding the trial by the Asst Commr Magte of the Chickballapur Taluk of one Natava Venkatasamy, who was a K.D., confined in the Chickballapur Lock up, for offences of housebreaking & theft committed within the limits of the Bangalore District, but who is now reported to have escaped therefrom, I have the honor to state that the first Asst to the Sub Divisional Officer intimates that there is no objection to the accused being so tried for the said offences.

over.

SUBJECT.

Each endeavour should be made
~~The District Magistrate is according~~
~~to~~ to have the accused
~~are to be tried~~ brought
~~about early~~ placed on his trial

By order

12.5.1905

11.5.05 Asstt Secy

MS 5/5/05 SN 10/5/05 mdk 11/5/05

*List of enclosures.*

*Copied by* DF. 13/5/05

*Examined by* SN 13/5/05